



***Town of Tyngsborough***  
*Zoning Board of Appeals*  
Town Hall-25 Bryants Lane  
Tyngsborough, MA 01879-1003  
(978) 649-2300, Ext. 115

**TYNGSBOROUGH ZONING BOARD OF APPEALS MINUTES**  
**April 9, 2015**  
**APPROVED**

Attachments:

1. Meeting Agenda
2. Westford Rd. & Westech Dr. (storage warehouse) Hearing Continuance Form – 4/9/15
3. 160 Pawtucket Blvd. Hearing Continuance Form – 3/12/15
4. PSC Peer Review for Tyng Village – 4/8/15
5. Tyngsborough Sewer Commission Letter regarding Tyng Village – 11/25/14
6. Innovation Academy Letter regarding Tyng Village – 4/9/15
7. Proposed 2-Bedroom Unit Rendering for Tyng Village – 4/9/15
8. Revised plan set for Tyng Village – 4/9/15
9. Tyng Village list of requested Exceptions

Members Present: Robb Kydd, Vice Chairman  
Joe Polin  
Chris Mechalides  
Adriana Gioumbakis  
Chaz Doughty  
Pamela Berman, Administrative Assistant

Members Absent: Claire Cloutier

**6:30pm** Meeting was called to order by Vice Chairman R. Kydd

**Hearing #1**

**Westford Rd. & Westech Dr. (Map 22, Block 27A)** – Request by FMP Realty Trust, applicant, for a Variance from the requirements of Section 2.12.50 of the Tyngsborough Zoning By-Laws (lot area, maximum building height) for the proposed construction of a self-storage mini warehouse facility in an I-1 Zone. *Advertised in the Lowell Sun Thursday January 29, 2015 and Thursday February 5, 2015. Continued from March 12, 2015.*

The applicant notified the ZBA that they would not have the requested deliverables ready for submittal and asked for a continuance to the May 14, 2015 meeting.

**A. Gioubakis:** Motion to continue the hearing until May 14, 2015.

**C. Doughty:** 2<sup>nd</sup> the motion

**In Favor: 5 Opposed: 0**

**Passes: 5-0**

### **Hearing #2**

**160 Pawtucket Blvd. (dba, Stonehedge Inn)** – Request by Boston East Tyngsboro Holdings, LLC, applicant, for a Variance from the requirements of Section 3.10.24 (Table of Off-Street Parking Requirements), and a Special Permit under Section 2.15.22 (Non-Conforming Structure: Changes, Extensions and Alterations) of the Tyngsborough Zoning By-Laws for the proposed construction of a 7,100 s.f. wedding banquet facility in an R-1 Zone. *Advertised in the Lowell Sun Thursday January 29, 2015 and Thursday February 5, 2015. Continued from March 12, 2015.*

The applicant notified the ZBA that they would not have the requested deliverables ready for submittal and asked for a continuance to the May 14, 2015 meeting.

**C. Mechalides:** Motion to continue the hearing until April 9, 2015

**J. Polin:** 2<sup>nd</sup> the motion

**In Favor: 5 Opposed: 0**

**Passes: 5-0**

### **Hearing #3**

**65 Tyng Road (M27, P4, L0)** – Request by Tyng Road Development, LLC, applicant for a Comprehensive Permit pursuant to Chapter 40B of the Massachusetts General Law, and the Tyngsborough Zoning By-Laws Section 1.13.23 for the development of a residential housing community that will contain 28 units of residential housing on a 4.22 acre site to be named “Tyng Village”. *Advertised in the Lowell Sun Thursday November 27, 2014 and Thursday December 4, 2014. Continued from March 12, 2015.*

C. Mechalides sat out of this hearing.

Atty. Melissa Robbins appeared with engineer Doug Lees. Atty. Robbins summarized the revisions made to the plans based on the most recent peer review from Board engineer Dave Sanderson dated 4/8/15. The following items were addressed and revised on the plans:

- Fire flow water testing data will be documented.
- The landscape plan was updated to reflect required signage and lighting.

In addition the Board requested that the they consider pushing back Units 23 through 26 to allow for more parking; adding a buffer between the new road and the detention basin that would allow for removal of the chain-link fence; and relocating some of the sewer manholes to allow for a better separation from the driveways.

Greg Orpen from Innovation Academy Charter School urged the Board to condition any permit with the following:

- Restrict any alteration on the stone wall that surrounds the property.
- Restrict fencing from being erected along Tyng Rd.
- Restrict the removal of the healthy trees added to the site plans.

The Board discussed the list of requested waivers submitted by the applicant that included sections from the Zoning By-Laws, Subdivision Rules & Regulations, and General By-Laws, and conditions for the Comprehensive Permit. The Board denied the request to waive any fees relative to this project. Board Atty. Adam Costa will draft a decision with conditions to be reviewed by the Board at the next meeting.

**C. Doughty:** Motion to continue the hearing until May 14, 2015

**J. Polin:** 2<sup>nd</sup> the motion

**In Favor: 5 Opposed: 0**

**Passes: 5-0**

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## **ADMINISTRATIVE**

**A. Gioubakis:** Motion to approve the minutes for March 12, 2015 as written.

**C. Mechalides:** 2<sup>nd</sup> the motion

**In Favor: 5 Opposed: 0**

**Passes: 5-0**

**7:50pm**

**C. Mechalides:** Motion to adjourn

**A. Gioubakis:** 2<sup>nd</sup> the motion

**In Favor: 5 Opposed: 0**

**Passes: 5-0**

Minutes respectfully submitted by  
Pamela Berman, ZBA Administrative Assistant